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12
13 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
14

15 UNITED STATES OF AMERICA, *ex*
16 *rel.*, JOHN C. PRATHER, *et al.*

17 Plaintiff-Relator,

18 v.

19 AT&T INC., CELLCO PARTNERSHIP
20 d/b/a VERIZON COMMUNICATIONS,
QWEST COMMUNICATIONS
21 INTERNATIONAL, INC., AND SPRINT
NEXTEL CORP.

22 Defendants.
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Case No.: C 09-02457 (CRB)

STIPULATION AND ORDER
RESCHEDULING ARGUMENT ON
DEFENDANTS' JOINT MOTION TO
DISMISS AMENDED COMPLAINT

1 Relator John C. Prather (“Relator”) and Defendants AT&T Inc. (“AT&T”), Cellco
2 Partnership d/b/a Verizon Wireless (“Verizon”), Qwest Communications International Inc.
3 (“Qwest”), and Sprint Nextel Corporation (“Sprint”), (collectively, “Defendants”), by and
4 through their respective counsel and subject to the approval of the Court, hereby stipulate as
5 follows:
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7 WHEREAS, argument on Defendants’ Joint Motion to Dismiss the Amended Complaint
8 was originally scheduled for Friday, April 19, 2013 at 10 a.m. and rescheduled for Friday, May
9 24, 2013 at 10 a.m.;

10 WHEREAS, Plaintiff’s counsel is unable to attend the new argument date;

11 WHEREAS, Defendants’ counsel do not object to a new argument date of Friday, June
12 28, 2013;

13 IT IS HEREBY STIPULATED AND AGREED by the undersigned counsel on behalf of
14 the parties identified below that:
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16 (1) Argument on Defendants’ Joint Motion to Dismiss the Amended Complaint shall
17 be rescheduled for Friday, June 28, at 10 a.m.
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1 DATED: April 11, 2013

BALESTRIERE FARIELLO

2 By: /s/ John G. Balestriere
3 John G. Balestriere
4 *Attorneys for Relator John C. Prather*

5 DATED: April 11, 2013

MUNGER, TOLLES & OLSON LLP

6 By: /s/ Jonathan H. Blavin
7 Jonathan H. Blavin
8 *Attorneys for Defendant*
9 *Cellco Partnership d/b/a Verizon*
10 *Wireless*

11 DATED: April 11, 2013

PERKINS COIE LLP

12 By: /s/ David F. Taylor
13 David F. Taylor
14 *Attorneys for Defendants Sprint Nextel*
15 *Corporation and Qwest Communications*
16 *International Inc.*

17 DATED: April 11, 2013

SIDLEY AUSTIN LLP

18 By: /s/ Douglas A. Axel
19 Douglas A. Axel
20 *Attorneys for Defendant AT&T Inc.*

21 DATED: April 11, 2013

WILLIAMS & CONNOLLY LLP

22 By: /s/ Edward C. Barnidge
23 Edward C. Barnidge (*pro hac vice*)
24 *Attorneys for Defendant Sprint Nextel*
25 *Corporation*

26 ATTESTATION UNDER GENERAL ORDER 45, SECTION X.B.

27 I have the authorization of all counsel identified herein to submit this Stipulation and
28 [Proposed] Order.

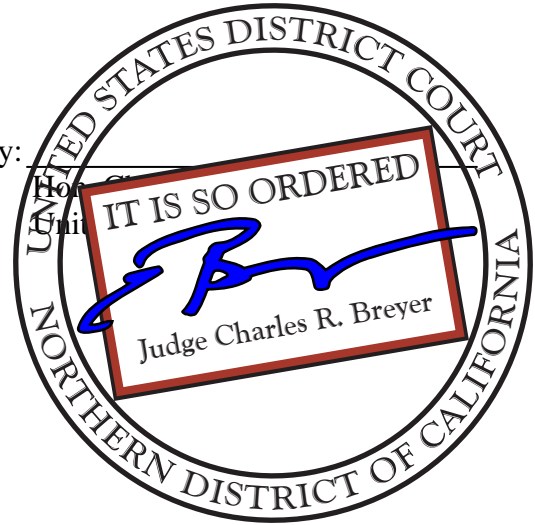
/s/ John G. Balestriere

ORDER

Pursuant to the parties' stipulation set forth above, IT IS SO ORDERED.

DATED: April 17, 2013

By: _____
for _____
Unit _____



CERTIFICATE OF SERVICE

I, Andrew Wolfram, declare:

I am a citizen of the United States and am employed in the County of New York, State of New York. I am over the age of 18 years and am not a party to the within action. My business address is Balestriere Fariello, 225 Broadway, Suite 2900, New York, New York 10007. I am personally familiar with the business practices of Balestriere Fariello. On April 11, 2013 I caused the following document to be served on the following parties by the manner specified below:

**STIPULATION AND [PROPOSED] ORDER RESCHEDULING ARGUMENT ON
DEFENDANTS' JOINT MOTION TO DISMISS AMENDED COMPLAINT**

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XXX (ON CM/ECF) I electronically filed and served the document on CM/ECF.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct and that this declaration was executed at New York, New York, on April 11, 2013.

/s/ Andrew Wolfram
Andrew Wolfram